

\*E-FILED - 3/20/08\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT KELLY WALTERS,	)	No. C 04-0818 RMW (PR)
	)	
Plaintiff,	)	ORDER DENYING
	)	PLAINTIFF'S EX PARTE
v.	)	REQUEST TO CLERK
	)	CONCERNING SERVICE ON
	)	DEFENDANTS
	)	
EDWARD ALAMEIDA, et. al.,	)	
	)	
Defendants.	)	
_____	)	(Docket No. 32)

Plaintiff, proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff has been granted leave to proceed in forma pauperis. On July 7, 2006, plaintiff filed an amended complaint. The court granted plaintiff leave to file an amended complaint. Thereafter, the court reviewed the amended complaint and dismissed three of plaintiff's claims, dismissed defendants California Department of Corrections and Rehabilitation ("CDCR") and Edward Alameida in his official capacity, and ordered service of the amended complaint on the remaining defendants: Alameida (in his individual capacity), McGrath, Polk, Nimrod, Lucarelli, Wheeler, Browman and Preston.

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1 On April 30, 2007, plaintiff filed an ex parte request for the clerk to inform the United  
2 States Marshals Service that service of the summons and complaint should be served on a total  
3 of nine defendants. However, the court notes that all claims against defendant California  
4 Department of Corrections and Rehabilitation ("CDCR") were dismissed in the order of service.  
5 See Order of Service (docket no. 20) at 9, 11. Therefore, only eight defendants were served in  
6 the instant civil rights action. Accordingly, plaintiff's ex parte request (docket no. 32) is  
7 DENIED as moot.

8 IT IS SO ORDERED.

9 DATED: 3/19/08

  
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RONALD M. WHYTE  
United States District Judge